REMARKS

The Examiner has finally rejected claims 1-10 asserting that they are rendered obvious and unpatentable by Herkel et al '814. Responsive to the rejection applicants have further amended independent claim 1 to clarify the nature of the invention and further emphasize its distinguishing features over the cited art. In addition Applicants offer new dependent claim 11. No additional fees are required for the additional claim.

Claim 1 as amended recites that the test travel initiated by the control system is outside normal operation of the lift. Thus, it brings a cage to a story without a call or travel signal being generated by normal use of the lift by passengers. It is respectfully submitted that the Herkel reference does not teach or even suggest a cage travel to a story in a test condition to monitor the actual operation of the shaft doors at the story.

The Examiner states that Herkel teaches a periodic testing of locking sensors, "independent of whether data is being provided". He then concludes that it is obvious that such testing is automatic and that a lift cage would be sent to a story and tested.

Such a conclusion is without foundation. Herkel's control circuit provides for communication between the control microprocessor and bus nodes as scheduled by software. Herkel col. 4 lines 51-53. Such communication is periodic, irrespective of whether data is actively being provided by the node. Herkel col. 4 lines 54 -54. As Herkel states, this is done "to positively affirm that the communications through safety bus 4 to the bus nodes 91-96 are operational." Herkel col. 4 lines 56-58. Thus, the information is used to determine communications integrity. The messages may include status information resulting from hardware checks. Herkel col. 4 lines 59-60. This information also allows the hardware to be tested periodically. Herkel col. 5 lines 25-26.

Herkel only teaches the use of periodic polling, and that the polling can be conducted irrespective of whether data is being provided on the node. This simply means that the status of the sensors is polled, even when there has not been a change of status of the sensor. It does not in any way suggest that the lift cage be dispatched to the story, outside of normal operation, specifically to initiate a test of the sensors at the story, and that the story doors be operated by the control system to allow expected changes is the sensor status associated with a door opening and closing to be monitored in association with the test travel and door operation.

The disclosure of Herkel teaches and describes a passive system, in which the status of sensors resulting from normal operation is monitored, and the monitoring occurs on a periodic basis, irrespective of the specific travel of the lift cage in normal operation of the lift that may or may not generate a status change and thus a transmission of data from a given node or sensor. It offers no suggestion whatsoever that, in the absence of a change of state of a sensor resulting from normal operation over a period of time, the lift cage is dispatched, out of normal operation, to the story to simulate a call and cause an actual operation of the lift doors at the story such that senor response can be monitored. It is only with the hindsight gleaned from an understanding of the present invention that one can infer from Herkel that the lift cage may be dispatched to a story out of normal operation to initiate a door opening and closing sequence solely for sensor monitoring purposes. Herkel offers absolutely no suggestioin that its polling include active control of cage operation during a test sequence. It's monitoring is sole passive.

Applicants have added new claim 11, which specifies that the defined period in which door operation has not occurred to initiate a test travel is between 8 and 24 hours. As Herkel does not suggest a test travel at any interval of time, but merely provides for periodic communication and interrogation, irrespective of sensor status change, it certainly does not offer any suggestion as to what such a period or interval can be.

Withdrawal of the rejections and passage to allowance is solicited.

Respectfully submitted,

SCHWEITZER CORNMAN GROSS & BONDELL LLP
Customer No. 022831
Attorneys For Applicant
292 Madison Avenue – 19th Floor
New York, NY 10017
Telephone (646) 424-0770

BY

JAB/cw

JAY A. BONDELL, ESQ., REG. #28,188